

APR 13 2007

PATENT APPLICATION
Attorney Docket No.: 1400-1072D1
RIM No.: 10072-US-DIV1

REMARKS

Claims 90-109 are currently pending, of which claims 90, 99, and 105 are in independent form.

No claims have been amended by way of the present Response.

Favorable reconsideration of the present patent application as currently constituted is respectfully requested.

Regarding the IDS

Applicant appreciates the comments by the Examiner in the instant Office Action with respect to the IDS submitted on August 7, 2006.

Regarding the Provisional Double Patenting Rejections

In the pending Office Action, claims 90-109 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 126-212 of co-pending U.S. Patent Application No. 10/207,418 as well as over claims 102-129 of co-pending U.S. Patent Application No. 09/782,107. Applicant appreciates the alleged correspondence drawn by the Examiner in the instant Office Action between the pending claims and the respective sets of conflicting claims. Without acquiescing in the Examiner's correspondence between the claim

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RIM No.: 10072-US-DIV1

sets, Applicant respectfully submits that Applicant is willing to file applicable terminal disclaimers in accordance with 37 C.F.R. §1.321 once allowable subject matter in the present patent application is identified. Accordingly, it is requested that the pending double patenting rejections be held in abeyance.

Regarding the Claim Rejections - 35 U.S.C. §103

In the pending Office Action, claims 90-109 stand rejected under 35 U.S.C. §103(a) as being unpatentable over AirMobile Communication Server Guide ("AirMobile Software for Lotus cc:Mail Wireless," Motorola Publication, 1995, hereinafter "AirMobile Server") and AirMobile Communication Client Guide ("AirMobile Software for Lotus cc:Mail Wireless," Motorola Publication, 1995, hereinafter "AirMobile Client") in view of MAPI Developers Forum Post "MAPI Notification" dated April 12, 1996 (Carthy et al.) and United States Patent No. 5,764,899 to Eggleston et al. as well as United States Patent No. 6,289,105 to Murota.

It is noted that the *AirMobile Server* and *AirMobile Client* references (collectively "*AirMobile*") are relied upon as the primary reference for purposes of maintaining the §103 rejections in the present Office Action. In connection therewith, the Examiner has commented as follows, at least in applicable parts,

PATENT APPLICATION
Attorney Docket No.: 1400-1072D1
RIM No.: 10072-US-DIV1

with respect to the primary reference as applied against base claim 90:

- ☐ Receiving a reply mail item from the wireless mobile data device at the redirector component (e.g. sending reply to the server pg. 39);
- ☐ Interfacing the reply mail item to the messaging host system by the redirector component such that the reply mail item is sent to the sender (e.g. forwarding the reply to the original sender, pg 39).

Additionally, the same rationale has been relied upon in the pending Office Action with respect to the \$103(a) rejection of base claims 99 and 105.

Without acquiescing in the characterization provided in the pending Office Action with respect to any of the primary or secondary references applied and/or the pending claims, Applicant respectfully traverses the pending \$103 rejections and submits that the primary reference, i.e., the *AirMobile* reference, is deficient at least in regards to the features of: receiving a reply mail item from the wireless mobile data device at the redirector component; and interfacing the reply mail item to the messaging host system by the redirector component such that the reply mail item is sent to the sender. It is Applicant's position that the Examiner's

PATENT APPLICATION
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RIM No.: 10072-US-DIV1

reliance on page 39 of *AirMobile* with respect to these claimed features is misplaced. First, page 39 of *AirMobile Client* (which appears to be the actual document relied upon) includes a Section 5 which merely describes receiving e-mail messages at a client, which has nothing to do with the claimed features. On the other hand, to the extent the Examiner has intended to rely on the disclosure of page 38 of *AirMobile Client*, Applicant respectfully submits that the teachings therein are of no avail. Section 4 provided on page 38 is entitled "Sending/Transmitting e-mail messages" and describes a procedure for sending a message wirelessly. In particular, it is provided as follows:

To send a message wirelessly, simply use the same procedure as with Lotus cc:Mail Mobile. Use cc:Mail Mobile to compose a message which will be stored in the Outbox. Once you are registered (steps 2 & 3 above) the *AirMobile Client* software will automatically transfer messages that pass your upload filters on to your Communication Server, eliminating the need to find a phone and manually issue a SEND/RECEIVE command.

In other words, the procedure set forth on page 38 merely describes composing a message to be sent to the Communication Server. There is no teaching or suggestion as to whether the composed message is a reply message to a previously received mail

PATENT APPLICATION
Attorney Docket No.: 1400-1072D1
RIM No.: 10072-US-DIV1

item at the client as claimed by Applicant. Since AirMobile is silent with respect to generating a reply message in the first place, the remainder of the applied language is ineffective as a basis for an obviousness rejection with respect to the claimed feature of interfacing the reply mail item to the messaging host system by the redirector component such that the reply mail item is sent to the sender of the previously received mail item. In sum, AirMobile appears to be limited to sending an original message from the client to a recipient rather than sending a reply message from the client to the original sender.

At least for foregoing reasons, it is believed that AirMobile is deficient when applied as a primary reference against the pending base claims. The various secondary references do not appear to address this deficiency for purposes of maintaining obviousness. Accordingly, Applicant respectfully submits that base claims 90, 99 and 105, and the dependent claims depending respectively therefrom are allowable over the applied art.

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RIM No.: 10072-US-DIV1

Fee Statement

Compared to the highest number previously paid for, the total number of claims and the number of independent claims have not been increased. Applicant is filling herewith a Petition for a Three-Month Extension of Time. Form PTO-2038 is enclosed herewith authorizing payment of \$1,020.00 for a three-month extension of time. Applicant believes no further fees are due for the filing of this response. If any additional fees are due or any overpayments have been made, however, please charge or credit our deposit account (Deposit Account No. 03-1130).

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APR 13 2007

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SUMMARY AND CONCLUSION

In view of the fact that none of the art of the record, whether considered alone or in combination discloses, anticipates or suggests the present embodiments, as now defined by the independent claims, and in further view of the above amendments and remarks, reconsideration of the Action and allowance of the present patent application are respectfully requested and are believed to be appropriate.

Respectfully submitted,

Dated: _____

4/18/07



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